



## *Westfield City Council Report*

**Ordinance Number:** 14-03

**APC Petition Number:** 1311-PUD-10

**Requested Action:** Petitioner requests a change in zoning from the Enclosed Industrial (EI) District to the 181<sup>st</sup> Street Planned Unit Development (PUD) District.

**Current Zoning District:** Enclosed Industrial (EI) District

**Current Land Use:** Light Industrial

**Requested Zoning District:** 181<sup>st</sup> Street Planned Unit Development (PUD)

**Exhibits:**

1. Staff Report
2. Aerial Location Map
3. Concept Plan (Exhibit 2 of PUD District Ordinance)
4. APC Certification
5. 181<sup>st</sup> Street PUD Ordinance (Ord. 14-03)

**Prepared by:** Kevin M. Todd, AICP

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### **PETITION HISTORY**

This petition was introduced at the October 28, 2013, City Council meeting. The petition received a public hearing at the November 18, 2013, Advisory Plan Commission (the "APC") meeting. The petition was continued from the December 2, 2013, and December 16, 2013, APC meetings to allow the Petitioner an opportunity to address comments received from the Economic and Community Development Department (the "Department") and interested parties at and following the public hearing. The APC forwarded the petition to the Westfield City Council (the "Council") with a unanimous favorable recommendation for approval at its January 21, 2014, meeting. The APC Certification is included as Exhibit 4.

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### **PROCEDURAL**

- Requests for a change in zoning are required to be considered at a public hearing, in accordance with Indiana Code 36-7-4-1511. The public hearing for this petition was held on November 18, 2013, at the APC meeting. Notice of the November 18, 2013, public hearing was provided in accordance with the APC Rules of Procedure.
- At its January 21, 2014 meeting, the APC issued a favorable recommendation (8-0) of the proposed change of zoning to the Council.
- The Council may take action on this item at its January 27, 2014, meeting.

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## **PROJECT OVERVIEW**

Location: This subject property (the “Property”) is approximately 25.64+/- acres in size and is located at the southwest corner of U.S. 31 and 181<sup>st</sup> Street. Wheeler Road bounds the Property to the west and a new extension of Sun Park Drive, which is currently under construction as a part of the U.S. 31 Major Moves Project, bisects the Property. The Property was the home of the former Hall and House Lumber Company. The Property is currently zoned Enclosed Industrial (EI) and consists of various light industrial and office uses.

Project Description: The Petitioner is requesting a change of zoning to a Planned Unit Development (PUD) District to be known as “181<sup>st</sup> Street PUD”, that would allow for commercial/retail and hospitality uses on the Property. The PUD Ordinance contemplates subdividing the Property into five (5) parcels for future redevelopment purposes. The PUD Ordinance establishes enhanced architectural and development standards, and it also establishes a phasing plan for aesthetic improvements, as well as a phasing plan to convert the entire Property to commercial/retail hospitality uses.

Permitted Uses: The proposed PUD Ordinance defaults to the General Business (GB) District uses. It also includes a list of GB uses that are specifically not allowed within this project. The permitted uses also include a limited list of current enclosed industrial uses that would be permitted for a specified time period (which is up to ten (10) years, as proposed). The phasing of uses is explained further below under Development and Use Sequence.

Development and Architectural Standards: The PUD Ordinance defaults to the GB District and it causes the U.S. Highway 31 Overlay Zone to be inapplicable to the Property; however, the State Highway 32 Overlay Zone is used in the PUD Ordinance as a basis for the Development Standards and Architectural Requirements, with a few modifications.

Development and Use Sequence: The Property offers a unique redevelopment opportunity to reuse a former industrial site for the purposes of commercial uses. As proposed, the PUD Ordinance establishes a timeline for certain improvements to occur. It also establishes a timeline for the phasing out of the limited, existing industrial uses on the Property. In summary, (1) all new construction would be required to fully comply with the development and architectural requirements of the PUD Ordinance; (2) certain temporary landscaping/buffering would be required to be installed (as summarized below under “Streetscape Screening”); (3) permanent landscaping would be required as the property redevelops or by the end of 2023; (4) all buildings on the Property would be required to fully comply with the development and architectural requirements of the PUD Ordinance by the end of 2023 (which is approximately 10 years after the earliest-possible adoption of the ordinance); and (5) all industrial uses would not be permitted by the end of 2023 (which is approximately 10 years after the earliest-possible adoption of the ordinance).

The phasing plan would result in some immediate aesthetic and screening improvements to enhance the street-view of the Property, while allowing existing uses the opportunity to remain on the site up to ten (10) more years as the area likely redevelops to commercial/retail and hospitality uses.

Streetscape Screening: At the Public Hearing, the APC challenged the petitioner to develop proposal that would screen the existing industrial uses from Wheeler Road and 181<sup>st</sup> Street. Because this screening could last up to ten (10) years, the screening material needs to be effective, aesthetically-pleasing, and cost-effective. The proposed screening solution (Section 2.1, B,2) would occur in phases within the first year of the PUD Ordinance's approval. The proposal involves removing existing chain-link fencing along Wheeler Road and portions of 181<sup>st</sup> Street, planting evergreen trees in certain locations, repairing an existing wooden fence along 181<sup>st</sup> Street, and covering existing gates with a screening material. As the property redevelops, the interim screening will be replaced with more permanent landscaping treatments. Staff is satisfied with the proposal and believes it is in a form that is able to be administered and enforced.

In order to fulfil these interim streetscape screening requirements, an Encroachment Permit by the Westfield Public Works Department would be required because the proposed screening would occur within the public right-of-way. The Public Works Department is satisfied with the proposal and has prepared a set of conditions upon which approval of the permit would be granted.

Comprehensive Plan: The Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as part of the Family Sports Capital of America (a.k.a. "Grand Park") area, as identified in the Family Sports Capital Addendum II of the Comprehensive Plan (the "Addendum II"). The Addendum II anticipates land uses such as hotels, restaurants, retail uses, and other supporting commercial uses (among additional professional and residential uses) will locate within the Grand Park area. At full build-out after the initial ten-year phasing sequence, the proposal would be consistent with the vision of the Addendum II concepts.

Thoroughfare Plan: The recently-adopted amendment to the City's Thoroughfare Plan identifies both Wheeler Road and the adjacent segment of 181<sup>st</sup> Street as Secondary Arterials. The Alternative Transportation Plan identifies these corridors as incorporating portions of the Monon Trail and Monon-Midland Loop Trail, respectively. At this time, neither trail extension is anticipated to occur on the subject property, however, but rather on the other side of the respective streets. This segment of the Monon-Midland Loop is anticipated to be a critical and high-volume link between Grand Park and Grand Junction.

## **STATUTORY CONSIDERATIONS**

Indiana Code 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

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## **RECOMMENDATIONS / ACTIONS**

### APC Recommendation

At its January 21, 2014, meeting, the APC forwarded a **favorable recommendation** of Ordinance No. 14-03 (APC Petition No. 1311-PUD-10) to the Council (Vote of: 8 in favor, 0 opposed).

### City Council

Introduction:                      October 28, 2013

Eligible for Adoption:        January 27, 2014

Submitted by: Kevin M. Todd, AICP  
Economic and Community Development Department